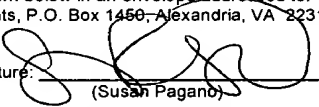




I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, No. EM047973239US, on the date shown below in an envelope addressed to: MS Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 2, 2007 Signature:  (Susan Pagano)

Docket No.: 283_280
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Robert M. Hussey et al.

Application No.: 09/766,922	Confirmation No.: 1246
Filed: January 22, 2001	Art Unit: 2625
For: <u>OPTICAL READER HAVING REDUCED PARAMETER DETERMINATION DELAY</u>	Examiner: J. Grant

AMENDMENT AFTER ALLOWANCE UNDER 37 C.F.R. 1.312

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The present amendment after allowance is being filed to submit an additional Information Disclosure Statement concurrently herewith for the consideration by the Examiner.

Under the Manual of Patent Examining Procedure an amendment after the close of prosecution may be filed to allow "the submission of prior art." *MPEP* §714.16 ¶1 (E). Accordingly, applicants believe that the present amendment after allowance for purposes of submitting an Information Disclosure Statement ("IDS") is consistent with the provisions of *MPEP* §714.16 ¶1 (E).

Under *MPEP* §714.16, an amendment after allowance may be entered where it is shown that the amendments (A) are needed for proper disclosure or protection of the invention; and (B) to require no substantial amount of additional work on the part of the Office.

In that it is believed that the protection afforded by the patent will be improved by the Examiner considering the additional references, applicants believe that (A) is satisfied. In that the additional references of the concurrently filed Information Disclosure Statement are small in number, applicants believe that (B) is also satisfied. Accordingly, applicants respectfully request consideration of the concurrently filed Information Disclosure Statement.

Applicants believe that *MPEP* §714.16 ¶1 (E) was authored to allow some flexibility in the provisions of the MPEP regarding consideration of Information Disclosure Statements after close of prosecution. Applicants also believe that *MPEP* §714.16 ¶1 (E), by providing a cost-sensitive mechanism for submitting information after the close of prosecution, is consistent with the Office's policy of encouraging disclosure by applicants. For these additional reasons applicants respectfully request entry and consideration of the accompanying Information Disclosure Statement.

The art references of the concurrently filed Information Disclosure Statement were recently cited in an Examiner PTO 892 cited reference form in related Application No. 11/238,176. The PTO 892 form of related Application No. 11/238,176 was sent to applicants' representative in a facsimile memorandum dated April 27, 2007. In a telephone interview of April 27, 2007 the Examiner stated that the new references cited in Application No. 11/238,176 would be considered in the present application.

Accordingly, applicants respectfully request reconsideration and passage to allowance of the above identified application.

If the Examiner believes that contact with applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call applicants' representative at the phone number listed below.

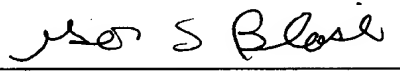
Application No. 09/766,922
Amendment dated May 2, 2007
After Allowance Under 37 C.F.R. 1.312

Docket No.: 283_280

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to deposit Account No. 50-0289.

Dated: May 2, 2007

Respectfully submitted,

By 
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GSB/slp